

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)  
DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;  
and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BROAD BAND TRANSMISSION PATH MODEM, RADIO TERMINAL DEVICE,  
PROGRAM, AND RECORDING MEDIUM,

the specification of which: (mark only one)

- \_\_\_ (a) is attached hereto.
- \_\_\_ (b) was filed on \_\_\_ as Application Serial No. \_\_\_ and was amended on \_\_\_  
(if applicable)
- X (c) was filed as PCT International Application No. PCT/JP2004/000471 on  
January 21, 2004 and was amended on \_\_\_\_\_ (if applicable).
- \_\_\_ (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_ and was issued a  
Notice of Allowance on \_\_\_\_\_.
- \_\_\_ (e) was filed on \_\_\_\_\_ and bearing attorney docket number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the

foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first laid-open or Published</u>	<u>Date patented or Granted</u>	<u>Priority Claimed</u>	
					<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
<u>PCT/JP2004/000471</u>	<u>January 21, 2004</u>	<u>Pending</u>

I hereby appoint:

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 BENJAMIN J. BAI, Reg. No. 43,481  
 MICHAEL J. BLANKSTEIN, Reg. No. 37,097  
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all of the firm of **JENKENS & GILCHRIST, a Professional Corporation**, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by

whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	Kiyoshi Sukegawa <b>Full Name</b>	<i>Kiyoshi Sukegawa</i> <b>Inventor's Signature</b>	July 10, 2006 <b>Date</b>
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(FOR ADDITIONAL INVENTORS, check here   X   and add additional sheet for inventor information regarding signature, name, date, citizenship, residence and address)

2	Yukio Furukawa	古川 由紀夫	July 10,
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IAP6 Rec'd PCT/PTO 20 JUL 2006

Docket No.: 33857-00014USPX  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kiyoshi Sukegawa et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: BROAD BAND TRANSMISSION PATH  
MODEM, RADIO TERMINAL DEVICE,  
PROGRAM, AND RECORDING MEDIUM

Examiner: Not Yet Assigned

**PATENT PRACTITIONERS TO BE RECOGNIZED BY THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

MS DO/EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submitted an executed combined Declaration and Power of Attorney listing more than ten patent practitioners. Therefore, Applicant submits herewith a separate paper indicating that the following patent practitioners named in the Power of Attorney should be recognized by the USPTO as being of record:

Stanley R. Moore	Reg. No. 26,958
Janet M. Garetto	Reg. No. 42,568
Andre M. Szuwalski	Reg. No. 35,701

Application No.: Not Yet Assigned

Docket No.: 33857-00014USPX

Dated: July 20, 2006

Respectfully submitted,

By 

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